

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

YELLOWSTONE RENTAL
PROPERTIES, LLC,

Plaintiff,

vs.

KRAFT LAKE INSURANCE
AGENCY, INC.,

Defendants.

CV 21-79-BLG-SPW

ORDER ADOPTING
FINDINGS AND
RECOMMENDATIONS

Before the Court are United States Magistrate Judge Timothy Cavan's Findings and Recommendations, filed November 21, 2023. (Doc. 101). Judge Cavan recommended the Court grant Defendant Kraft Lake Insurance Agency Inc.'s Motion to Vacate Default Judgment (Doc. 71).

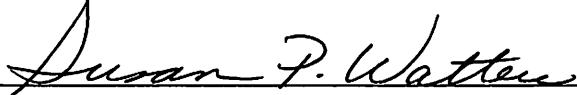
The parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. 28 U.S.C. § 636(b)(1). Neither party objected to the Findings and Recommendations, and so waived their right to de novo review of the record. *See* 28 U.S.C. § 636(b)(1)(C). This Court reviews for clear error those findings and recommendations to which no party objects. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the

Court is left with a “definite and firm conviction that a mistake has been committed.” *Government of Guam v. Guerrero*, 11 F.4th 1052, 1059 (9th Cir. 2021) (quoting *C.I.R. v. Duberstein*, 363 U.S. 278, 291 (1960)). After reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Cavan’s Findings and Recommendations (Doc. 101) are ADOPTED IN FULL.
2. Defendant Kraft Lake Insurance Agency, Inc.’s Motion to Vacate Default Judgment (Doc. 71) is GRANTED.

DATED this 15th day of December, 2023.


SUSAN P. WATTERS
United States District Judge